This diagram is reproduced so that readers can compare the negro's story, as he told it on the stand, with his pantomime illustration of the crime in the presence of the officers some weeks ago. In the numerical sequence the reader can follow on this diagram the movements of the negro sweeper, Jim Conley, at the National Pencil factory on the day of Mary Phagan's murder, as the negro described them to the police and then re-enacted them before the eyes of the police at the factory itself. (1) Conley sits dozing and half-sodden with whisky and beer on boxes beside stairway in gloom. (2) He answers Mr. Frank's call and Mr. Frank meets him at the head of the stairs and sends him back to (3) to pick up the girl who has "hit her head against something." Beyond the girl's body is the women's lavatory. "A"—machine where strand of hair was found Monday after the murder. (4) Negro goes after crocus bagging to wrap body in. (5) Carries body toward front on his shoulder. (6) It slips from his shoulder and falls to the floor. (This is the spot where workers in the factory noticed blood two days later when they came back to work, and where detectives chipped wood from the floor for analysis). (7) Mr. Frank, after having come to help the negro after he dropped the body, is so nervous himself that the feet slip from his hands and fall to the floor. (8) They carry the body between them to the elevator. (9) They descend on the elevator, Mr. Frank running it, standing astride the girl's feet. (10) The negro shoulders the body again, Mr. Frank climbing the ladder to the trap door (11) to watch the entrance and the basement both from there. (12) The negro puts the body down around the corner at the partition's end. Cross marks where Newt Lee was standing with his lantern when he spied the body, over twelve hours later. Arrow points to back door, found closed, with hasp pulled out and the lock in it. (13) Negro throws girl's hat and ribbon and shoe, and the stained crocus sack upon the trash pile in front of furnace, at Mr. Frank's direction. Then negro runs elevator back up, Mr. Frank jumping aboard as car passes street floor and both emerging at second floor, Mr. Frank going around behind elevator to sink (14) and washing hands there. Time clock that faces elevator shaft is

shown through it. (15) Mr. Frank sits at desk, and (16) negro sits at table, writing notes. They hear some one coming, and negro is hid in wardrobe (17).

Atlanta Journal
August 4th, 1913

MANY NEW AND SENSATIONAL FEATURES ADDED TO TALE AS ORIGINALLY GIVEN TO POLICE

Conley Swears He Saw Mary Phagan Enter Factory, That He Heard Her Screams In the Metal Room a Short Time Later, That Frank Then Called Him and He Went Up and Found the Superintendent in a Panic and the Girl Dead

HE IDENTIFIES STAINED CROCUS BAGGING WHICH HE SAYS HE USED TO WRAP BODY AND TAKE TO BASEMENT

He Swears Frank Had Frequently Used Him as a "Lookout" When Women Visited the Factory and Gives Details About Several Alleged Occasions—Here Is His Story as Told to Jury, Women Ordered From Court Room by Judge

"CONLEY'S STORY THE VILEST AND MOST AMAZING PACK OF LIES EVER CONCEIVED" — LEO M. FRANK.

"The vilest and most amazing pack of lies ever conceived in the perverted brain of a wicked human being," is the way Leo M. Frank characterized the remarkable story of James Conley, the negro sweeper.

It was to friends and while he was eating his luncheon in a courthouse ante-room that Frank expressed himself. He appeared to be almost overcome with indignation, but was confident that his attorneys would be able to break the negro down during cross-examination.

Every moment of the time that Conley was on the stand Monday morning his face was the object of Frank's eye. The negro kept his gaze averted from Frank, but the defendant, apparently unmoved by the terrible accusations of the witness, continued to look him straight in the eye.

Jim Conley, negro sweeper at the National Pencil factory, took the witness stand at the trial of Leo M. Frank Monday morning, and told an amazing story which added many new and sensational features to the confessions given to the police by him and made public some weeks ago.

Conley for the first time dramatically declared that he was at the pencil factory when little Mary Phagan entered shortly after 12 o'clock to get her pay, that he saw her and that a little later he saw Monteen Stover go in. The Stover girl left the factory, he said, but Mary Phagan did not. A little while after Mary Phagan entered, according to the negro's remarkable story, he heard screams in the metal room where the state claims the crime was committed. In a short time, Frank signalled him to come upstairs, and he went; finding the superintendent trembling all over and in a panic. The negro then detailed the story of finding the little girl's dead body, of wrapping it up in a crocus sack at the direction of Mr. Frank, and assisting the superintendent in carrying it to the basement.

Conley's story of carrying the body to the basement coincided with what he had previously told in this connection. He swore that it had been planned to burn the body and that Mr. Frank had instructed him to build up the fire for this purpose, but that he became frightened and did not carry out the superintendent's instructions.

The negro told his story glibly. With little prompting from the solicitor he talked in a rapid, recitative manner that made his testimony difficult for the stenographer to take down. When he had finished he was turned over to the defense for cross-examination, and Luther Z. Rosser began to fire questions at him in an effort to break down his story. Conley was still on the stand when court adjourned for lunch and the cross-examination was resumed at 2 o'clock. It is expected that the negro will be under cross-examination for many hours, as it is certain that he will not be allowed to leave the stand until he has been given a severe grilling.

When court convened for the afternoon session Judge Roan ordered all women to leave the court room, declaring that the testimony would be unfit for them to hear. About 175 women were present when the judge made the announcement.

Startling portion of the negro's testimony was his claim that on previous Saturdays and holidays he had acted as "lookout" for the accused superintendent while the latter met different young ladies on the second floor of the factory. The witness went into detail when he related the happenings on the day of the tragedy. He declared that Frank had engaged him to come to the factory and "watch for him at the door like he had done on previous Saturdays. Then the negro told of the different persons entering the door and of Frank's signals to to him as the "lookout." He declared that the accused told him when the right one entered he would stomp his foot and that meant for him to lock the door so nobody could enter and when he whistled for him to come up the stairs and ask to borrow money and give the girl's a chance to get out.

A piece of crocus bagging was produced in court for the first time during Conley's story. Some large dark stains appeared in the middle of it. "Yes, sir, that's it," said the negro, identifying it as the cloth used by him to wrap up Mary Phagan's body.

The solicitor called for Jim Conley - the negro sweeper in the pencil factory regarded as the star witness for the state. It was 18 minutes to 10 o'clock then. The court waited a few moments, and bailiffs returned with the word that Conley had not arrived yet at the solicitor's office, where instructions had been given a few minutes previously to take him. More telephoning was done.

Conley arrived at 10 o'clock in custody of Chief of Police Beavers and Chief of Detectives Lanford, accompanied by his lawyer, W. M. Smith.

The negro was handcuffed when he entered the court room. The two chiefs paused with him at the door, and Chief Lanford removed the handcuffs, taking the negro to the witness stand.

Conley walked briskly along the court room from the front entrance, with the two chiefs just at his heels. At the middle aisle bailiffs directed him to take the witness chair.

Without slackening his rather rapid ppace [sic] the negro stepped up to the stand and sat down in a chair. Immediately he was sworn by the solicitor.

CONLEY FACES FRANK.

The negro displayed no sign of nervousness. He appeared perfectly cool. He glanced at Frank and Frank returned the glance. Neither changed expression.

The negro wore a clean blue negligee shirt. He had on the same dark coat and trousers, and the same worn tan shoes which he wore when he was arrested some three months ago.

During the wait, Judge Roan impatient and asked the sheriff "Where is Conley?"

"The sheriff hasn't got Jim Conley!" shouted Rosser.

The negro held his hand and arm straight up and looked the solicitor straight in the eye as he was being sworn.

"What is your name?"

"James Conley."

"Do you know Leo M. Frank, the defendant? If so, where is he?"

"Yes, I know him. There he is," answered the negro, pointing to Frank.

"Did you have any conversation with Mr. Frank on Friday, April 25?"

"Yes, sir," the witness rattled off in a hurried manner. "About 8 o'clock he came up to the fourth floor where I was working." The witness completed a sentence but no one in the court heard it.

"Have him repeat that answer," asked Mr. Rosser.

TOLD HIM TO RETURN.

The negro said that Frank had told him to come back Saturday about 8:30 o'clock, "like I had before."

"How long have you worked at the National Pencil factory?"

"Two years."

"Had you been back before on Saturdays?"

"Yes, sir, several times."

"How often?"
"I don't know, but several times."

"What time did he say to come back?"

The negro had answered "8:30" before Attorney Rosser could object that the question was leading.

"I went back on Saturday, April 26, about half past eight o'clock," continued the negro.

"Who got there first, you or Mr. Frank?"

"We met at the door and I followed him in."

"What conversation did you have?"

WATCH FOR HIM.

"After we got in, on Saturday morning, Mr. Frank said that I was a little early. I told him it was the time he'd said for me to come. He said I was a little too early for what he wanted me to do. I asked him what he wanted. He said he wanted me to watch for him like […]

JIM CONLEY TELLS AN AMAZING STORY

[…] I had other Saturdays."

"What had you done other Saturdays?"

"I had watched for him while he was upstairs talking with young ladies."

"What did you do?"

"I would watch at the door and let him know."

"How often had you don't this?"

"Several times—I don't know how many."

"Was Frank up there alone on those Saturdays?"

"No, sometimes there'd be two young ladies, and sometimes other men from the factory."

"Was Mr. Frank ever alone there?"

ON THANKSGIVING DAY.

"Yes, sir. Last Thanksgiving day."

"Who came then?"

"A tall, heavy-built woman."

"What did you do then?"

"I stayed just like I did on April 26, and watched at the door."

"What had Mr. Frank told you to do on Thanksgiving day?"

"I did like he told me and locked the door when he stomped on the floor after the lady come in."

"That was Thanksgiving day, 1912?"

"Yes, sir."

ON DAY OF MURDER.

"Now, tell what happened on April 26."

"We both went inside. He told me I was a little early. I said, no, sir, that was the time he'd told me to come. He said I was a little early. I said, no, sir, that was the time he'd told me to come. He said I was a little early for what he'd told me to do. He told me he wanted me to watch. I told him I had to go to the Capital City laundry, and asked him what time he wanted me to come back. He told me that I could go from the Capital City laundry to Nelson and Forsyth streets and watch there till he came back from Montags."

"Where is the corner of those streets with reference to Montag Brothers?"

As he put the question, the solicitor exhibited part of a map of Atlanta to the negro.

Attorney Rosser objected to the solicitor pointing on the map to the corner, and the solicitor told the negro to draw the corner and show Montag Brother's place. The negro took a pencil and a piece of paper and sketched the corner, showing Montag Brothers.

"What time was it when you were at Nelson and Forsyth streets?"

"I don't know exactly."

ON NELSON STREET.

"Can you give it to the best of your opinion?"

"Somewhere between 10 and 10:30 o'clock."

"Did you see Frank while there?"

"Yes, sir, he passed me coming up Forsyth toward Nelson."

"Was anything said by Mr. Frank?"

"Yes, sir, as he passed by me he said, ‘Ha, ha! Here, are you?' I said, ‘Yes, sir, I'm here, Mr. Frank.'"

"How long did he stay at Mr. Montag's office?"

"I haven't got any idea."

"What did he say when he came back?"

"He just said, ‘Come on, come on.'"

The negro described walking down the stre[e]t behind Mr. Frank toward the pencil factory. After they had walked a little way, he said, Mr. Frank turned around to say something to him—the negro didn't know what; he didn't hear. When he turned around to speak to him, said the negro, Frank bumped into a man carrying a baby. Conley said the man looked at Mr. Frank and looked at him but didn't say anything. They walked on down to a corner, where Mr. Frank went into a soda fountain.

"What did Mr. Frank buy at the soda fountain?" asked Mr. Dorsey.

The negro said he didn't know.

"Now, when you got to the factory, what happened? Tell the jury."

EXPECTING YOUNG LADY.

Conley turned around and faced the jury and talked evenly in unusually good English for a negro.

"We went in and Mr. Frank told me about the lock on the front door. ‘If you turn the knob this way, nobody can get in,' he said. Then Mr. Frank told me to come over and said ‘Set on that box.' He said there'll be a young lady up here pretty soon, and we want to chat a while.' Mr. Frank said, ‘When I stamp, that's her. And when I whistle, you come up and say you want to borrow some money, and that will give her a chance to get out.'"

"Did he say anything else before he went upstairs?" asked the solicitor.

"Yes, sir," said the witness. "He hit my chest right here."–the negro pointed to a place near his right shoulder—"and he said, ‘Now, boy, don't let Mr. Darley see you.'"

"Whom did you see go in first, now, Jim?" asked the solicitor.

"Mr. Darley was the first one I saw. He came in and went upstairs. Then Miss Mattie Smith came in and went upstairs."

SAW MISS SMITH CRYING.

"Well, who came next? What did you see next?"

"Well, next thing I saw she came down."

"What did she do?"
"She walked to the door and stopped."

"What did you see next?"

"Mr. Darley came down the stairs right after her. They stood at the door and he said, ‘That's all right; you'll get that next Saturday.' I don't know what they were talking about."

"Was she in a good humor, or otherwise?" asked the solicitor.

"Well, it seemed to me like she was crying. I saw her wiping her eyes."

At this point Attorney Rosser spoke up. "He's leading the witness, may it please the court," said the attorney. "He oughn't to do that."

"Well, I want to please ‘em, your honor," said the solicitor. "I'll do the best I can."

WHEN THEY RETURNED.

"Jim," continued the solicitor, "did these things you were talking about happen before you went to Nelson and Forsyth?"

"No, sir, just after we got back," said the negro.

"Now, what did Miss Mattie Smith do?"

"Well, sir, she went out and Mr. Darley went back upstairs."

"Now what was the first thing that happened when you came back with Mr. Frank when he came from Montag's Brothers?"

"Well, there was a lady that works on the fourth floor came in and went upstairs. I don't know her name."

Conley went on then to tell about a "peg-legged fellow" who drove up to the front door in a wagon, and how Mr. Holloway, the day watchman, went out and talked to him, wiping his eyeglasses as he put them on.

"Well, whom did you see next?" asked the solicitor.

"Mr. Lemmie Quinn went upstairs and stayed a little while and then came out," said the negro.

"Whom did you see next?"

"The next person I saw was Miss Mary Perkins. She came in and went upstairs."

HEARD MARY'S SCREAMS.

"Who is Miss Mary Perkins?"

"That's the lady that's dead. I heard her footsteps going toward the front office, and then I heard steps going toward the metal room. The next thing I heard was her screaming."

"Then what did you hear?" asked the solicitor.

"I didn't hear any more."
"Who was the next person you saw go upstairs?"

"The next one I saw go up was Miss Monteen Stover."

"How was she dressed?"

"She was wearing tennis shoes and a red coat."

"Have you seen Miss Stover since then?"

"Yes, sir—once."

"How long did she stay upstairs?"
"She stayed a pretty good while. Not so very long, either."

"Then what?"

"She come back down."
"What happened then?"

HEARD TIPTOES.

"Then I heard tiptoes coming from the metal department."

"Where did they go?"

"I don't know, sir."
"What next?"
"Next I heard tiptoes running back toward the metal department."
"Then what?"
"Then I sit back on the box and kind of went to sleep."

"All right—what next?"
"Next I heard Mr. Frank stomping over my head. I waked up the first time he stomped. Then I heard him stomp two more times. He stomped three times altogether."

"Then what did you do?"

"I got up and locked the door like Mr. Frank told me to do. Then I sat back down on the box."

"How long did you sit there?"
"A little while."
"All right, then what happened?"

"I heard Mr. Frank whistle."

FRANK WAS SHIVERING.

"How long after the stomping was it before you heard him whistle?
"Just a few minutes."
"Well, what did you do when you heard Frank Whistle?"

"I went upstairs like he told me to do when he whistled. Mr. Frank was standing at the head of the stairs shivering. He was rubbing his hands together and acting funny."

"Show the jury how he was acting."
The negro stood up, made his legs tremble, rubbed his hands together, rubbed his right backward and forward from the back of the head to the fact and reverse.

"What did Frank have?"
"He held a little cord in his hand."

"Did you look at his eyes?"

"Yes, sir."

"How did they look?"
"His eyes was large. They looked funny and wild."

"Did you notice his face?"

"Yes sir. It was red, very red."

HAD CORD IN HIS HAND.

Solicitor Dorsey took out a length of cord from his satchel and handed it to the negro. "Is this the kind of cord Mr. Frank had in his hand?"

"Yes, sir, just like that," answered the negro.

"Did Frank say anything to you?"
"Yes, sir, he asked me if I saw a little girl pass along up there. I

told him yes, I saw two but one went out; but that I didn't see the other one come out."
"Well, then what did Frank say?"
The negro then quoted Frank as telling him, that Mary Phagan had gone to the metal room, and that there she had resi[s]ted Frank and that he had struck her. He accused Frank of perversion.

DESCRIBES FINDING BODY.

"Well, Jim, what did Frank say to you after he'd finished telling about hitting the girl too hard?"

"He told me to go back to the metal department and get her. He said: "We've got to get her out. Hurry up, now, and there'll be some money in it for you."

"Did you find the girl?"
"Yes, sir. She was lying flat of her back, with a rope around her neck. There was a piece of cloth tied around her neck, too."
Solicitor Dorsey handed to the negro the underskirt ruffle which which had been taken from the dead girl's neck, and the negro identified it as the cloth to which he had referred.

The solicitor then handed to him a piece of cord and directed him to illustrate to the jury just how it was tied about the girl's neck.

Conley put one end through the loop at the other end. Then he placed the bight around his own neck and drew it tight with the slip knot on the right side of his neck. Picking up the underskirt ruffle, he said that this was tied around the girl's neck.

"Did you notice the clock while you were up there?" asked the solicitor.

"I didn't see any clock in the metal room, but after I saw the girl was dead and went back up to the front I noticed the clock."

"What time was it?"

"Four minutes to 1."

"You say the girl was dead when you saw her?"
"Yes, sir."

"What did you do when you found the girl was dead?"
"I come back and told Mr. Frank ‘She's dead.' Mr. Frank told me to get a piece of cloth out of the cotton box and put it around her up here.' I heard a noise up toward the third floor about that time. Both Mr. Frank and me looked up there. It was then that I looked at the clock and saw it was four minutes to 1."

"Well, what did you do then?"

"I went and got the cloth like Mr. Frank told me to do."

Solicitor Dorsey handed to the witness Mary Phagan's parasol and asked him to point out on the big diagram hanging before the jury the place where he found the girl's body. The negro indicated an areaway leading off at the left of the metal room, saying that the areaway led to the ladies' toilet."

"Jim, where is the metal kept?"

"It's kept back there in a room near the ladies' toilet."
"You say when you found the girl was dead you called to Mr. Frank and said ‘she's dead.'"

"Yes, sir. Mr. Frank sid, ‘sh! sh!' I didn't understand what he said, and I called to him again the girl was dead. I didn't hear him so as to understand what he said, so I come up to where he was standing at the top of the steps like he was watching the steps. I told him again the girl was dead. He told me to go look in the cotton box and get a cloth and wrap her up in it and bring her ‘up here.' I went back, got the cloth like Mr. Frank told me. The girl was lying flat on her back, one hand stretched out." The negro illustrated how her hand was stretched out. "I spread out the cloth and roller her over into it. I tied her up."

"What girl was this?" asked the solicitor.

"It was the dead girl."

CROCUS BAGGING PRODUCED.

At this point Solicitor Dorsey called to the bailiff to hand a bundle to the witness, and directed the witness to open it. The bundle contained a large piece of crocus bagging.

In the middle of it appeared some large dark stains.

"Yes, sir, that's it," said the negro.

Solicitor Dorsey asked the witness to point out the cotton room on the diagram. It appeared on the left or south side of the building, about half way down its length.

"All right, Jim. When you got the cloth, what did you do?"

TIED HER UP IN BAG.

"I took it back, spread it out on the floor, and rolled the young lady into it, like Mr. Frank had told me to do. Her hat was lying a little ways off. I picked it up, also a piece of ribbon, and a slipper. I put them on top of her and tied her up."

The solicitor handed to the negro the hat which had been identified as that worn by Mary Phagan.

"That's the hat I tied up," said the negro.

The solicitor handed to the negro a bow of blue ribbon which Mary Phagan's mother testified was worn by her in her hair that morning when she left home.

The witness didn't identify this ribbon as the ribbon he said he picked up from the floor. It was assumed that he was referring to the hat band ribbon which never yet has been produced.

"All right, Jim, go ahead now; tell the jury what you did."
"I tied her up in a bundle just like a washwoman ties up clothes," continued the negro. "I run my right arm under the knot and tried to get it up on my shoulder. I couldn't quite make it at first. It was a little too heavy. The second time I tried I got her up on my shoulder. Then I carried her on out in the metal room and up toward the front, just as I got to the dressing room door it got too heavy for me and I dropped it.

DROPPED THE BODY.

"When I dropped it I got scared and jumped back and hollered to Mr. Frank that it was too heavy and for him to come help me. Mr. Frank come running back on his tiptoes, trembling. He got her by her feet and I got her by the head. I was backing back (walking back[w]ards).

"Mr. Frank was so nervous that he was pushing me too fast. We went a few feet, but Mr. Frank was so nervous he let her feet drop. Then he picked up her feet again and we went on to the elevator. We got the body on the elevator.

"Mr. Frank pulled on the elevator rope and it didn't move. He went into the office and got a key and unlocked the switch box. Then he started the elevator and we went on down into the basement. When we got to the basement, he said to me right quick-like, "Get her up!" He picked up her feet and I picked up her head.

"We went a little ways and he dropped her feet. He told me, ‘You take her on back to the sawdust pile, while I go up to the top of the ladder and watch out.' I took her back and put her down there and untied the cloth. That hat and the slipper and ribbon fell out. I picked the hat, slipper, ribbon and cloth up and started back up to the front. I didn't see Mr. Frank then. He'd gone up the ladder.

"When I got up to the front of the boiler I hollered to Mr. Frank and asked him ‘What must I do with these things?' I reckon he thought I was still back at the sawdust pile, because he said ‘Leave ‘em there.' I pitched ‘em on the trash pile just in front of the boiler.

"When I got back to the elevator, Mr. Frank called down to me from up on the ladder and told me to bring the ladder on up, he'd catch me at the first floor.

"TIRESOME JOB," HE SAID.

"When I got up to the first floor Mr. Frank was standing right in front of the elevator. He didn't give me time to stop. He jumped on and fell again [sic] me, knocking me up against the inside of the elevator. He was trembling and mighty nervous.

"After he got on the elevator Mr. Frank said ‘Gee, that was a tiresome job!' I said ‘Not as tiresome as mine. I toted the body all the way back.' Mr. Frank never said nothing else then. Just before the elevator got to the landing of the second floor, Mr. Frank jumped off.

"He caught one of his heels against the floor and fell on his hands and knees. He jumped up and walked around to the sink behind the elevator and washed his hands. I went out to the switch and shut off the motor. Mr. Frank came back and I followed him in to his office. I sat down in a chair just back of his. He didn't sit down at first. He kept walking back and forth from on office to the other. His face was very red and he was rubbing his hands."

"Mr. Frank's eyes were jumping and he was walking up and down.

"We heard somebody coming up the steps and he went over to the wardrobe and said come here.

LOCKED IN WARDROBE.

"I didn't seem to walk fast enough, and he says, "Hurry, hurry, damn it.' Then he put me in the wardrobe."

The negro at this point stood in his chair and showed the jury how he had to bend his body to get in the wardrobe.

Then quickly, speaking with remarkable rapidity, and without a question or an interruption from the solicitor, he continued.

"Somebody came in and said, ‘Good morning, Mr. Frank. You are all alone?'

‘Yes,' said Mr. Frank.

"I didn't hear any more of the conversation and stayed in there a long time. Then he came and let me out.

"'You kept me there a-mighty long time, Mr. Frank,' I said, and he said, ‘Yes I did. I see you are sweating.'

"Then he sat down in a chair and told me to sit down. It seemed as if his chair didn't suit, and he kept squirming around, and moving backwards and forward.

"Mr. Frank he reached on the table for a box of cigarettes and for a box of matches. He handed me the cigarette box and said, ‘Do you want to smoke?' and I said, ‘Yes, sir,' it being against the rules for anybody to smoke in the factory.

"And he handed me the match and I handed him back the cigarette box. I had seen some money in it. He said, ‘You can keep those,' and I said, ‘You got some money in there, Mr. Frank,' and he said, ‘That's all right, keep it, too.'

"And I said all right, sir.

"He figited and squirmed about and then he says, ‘Can you write, Jim,' and I says ‘yes sir.'

"And Mr. Frank says ‘I can tell you the best way for us to get out of this. You write what I tell you.'

"And I said ‘yes sir' again because I was willing to do anything to help Mr. Frank, him being a white man and my superintendent, too.

WROTE THE NOTES.

"He handed me a pad of paper and told me what to write. And I wrote a little bit, and he didn't like it and seemed mad and told me to turn over and write again, and he didn't seem to like this, and told me to turn over and write another time.

"I wrote what he said and he seemed to be pleased and he smiled and rub his hand together.

"I asked Mr. Frank when he would give me the money he had promised me, and he went and pulled a nice roll out of his pocket and told me it was $200.

"I told Mr. Frank not to take out another dollar from my pay for the watch because I would pay myself for that watch my wife got.

"He said I don't see what you want me to buy a watch for anyhow. He said his big fat wife had tried to get him to buy an automobile and he wouldn't do it.

TOLD TO BURN BODY.

"'I tell you,' Mr. Frank said, ‘you can furnish your house now,' and I said, ‘Yes, sir,' and then Mr. Frank said, ‘I tell you what to do. You go down in the basement and get up some of that trash, put it in the furnace and then put that body on it.'

"I was willing to do that, too, gentlemen," continued the negro as he looked quickly at the jury, "but I was scared, and I told Mr. Frank to come down with me, and watch, that he being a white man could keep anybody away that might come down there.

"Then Mr. Frank said he couldn't go down there and I was just too scared to go by myself, and then Mr. Frank said to hand him that money.

"I thought he was going to count it, but he put it in his pocket.

"'Is that the way you are going to do me?' I asked Mr. Frank, and he said, ‘That's all right, if you just keep your mouth shut.'

"Then Mr. Frank he walked up and down in the office, and looking up to the ceiling, held up his hands and said:

"WHY SHOULD I HANG?"

"'O, why should I hang? I have wealthy people in Brooklyn.'"

Conley made the exclamation in a very dramatic manner, and with the voice of a young teacher of elocution.

"Then I said, ‘That's all right, Mr. Frank, but what about me?' ‘I will look out for you,' he said.

"'Can you come back here this evening?' he asked me, and I said that I could.

"Then he told me to come back here in 40 minutes, and I asked him how I could get in, and he said it would be all right, that he would have a place for me to get in.

TOLD TO KEEP MOUTH SHUT.

"Then I looked at him and asked about the money in the cigarett[e] box for I was afraid he would take that away too, but he said I could keep it, and looked like he wanted me to go, and

told me again to come back in 40 minutes; that he wanted to go to lunch. I was standing around, when he picked up a pencil and paper and started to make a "M."

"Then he got up and put his arms around my shoulder and started out and kept on hugging me until we got to the steps. He told me to leave the door open and when I started down the steps he told me to keep my mouth shut.

"Then I went to a saloon and ate some liver and fish sandwiches and had a glass of beer. Then I went back to the toilet and opened that cigarette box and I found two $1 bills and a 50 cent piece.

STARTED HOME BEFORE.

"And then I took a double header, and I saw a man there I knew and asked if he wanted a drink and he said he didn't and looked at the clock and saw it was 20 minutes till 2, and I started home. I went to Mitchell and Hunter streets and a Jew there I owed a dime called me and I paid the dime, and then I went on to Peters street and stopped at a saloon, and looked at the clock and it was 2:14, and I took a glass of beer and started on home. And I got home and I gave my little girl a nickle to get some pan sauce and when she came back I gave her a dime to get some wood. She didn't get back right away and I lay down on the bed and I dropped off to sleep and when I woke up it was after 6 o'clock.

‘When did you see him next?' asked the solicitor.

ON NEXT TUESDAY.

"Tuesday morning. Mr. Frank came up to me where I was working and said, ‘Be a good boy, now.' And then he said, ‘Come here, I want to see you.' And he took me over under the stairs and said, ‘Keep your mouth shut now.'

"Did you see him Monday?"

"No, sir."

"What time Tuesday was this conversation?"
"Between 10 and 1 o'clock."

"Did you ever see this parasol before?" asked the solicitor, exhibiting Mary Phagan's parasol.

"I saw it at your office once."

"Did you ever see it before then?"

"I saw the handle of it up where the body was. I don't know about the rest of it."

In answer to other questions by Solicitor Dorsey, Conley said that Frank knew he could write because he had written some slips enumerating boxes around the factory on different occasions.

"When were you arrested?"

"The first of May."

"Do you remember the week day?"
"It was a Thursday."
"The Thursday after the murder?"
"Yes, sir."
"What did Frank do, now, when you wrote the notes?"
"Well, he gave me a paper and he gave me a pencil and he dictated them. There was an old pad lying on his desk, and he gave me that."

"Tell me what he told you to write."
"I don't remember exactly."
"Look at this pad," said the solicitor, handing a pad to Conley.

"Yes, sir, that's the same pad."

FOLLOWS DIAGRAM.

The solicitor handed to the witness Mary Phagan's parasol and with it the negro pointed out on the diagram where he first saw Mary Phagan's body. He followed it along the second floor and showed where he said Frank dropped the girl's fe[e]t, and where they took her down on the elevator, and the course along which he carried the body to the basement to where it was found.

"Where was that box that Frank unlocked when the elevator wouldn't work?" asked the solicitor.

"It was on this side," the negro replied, pointing out a spot with the parasol.

"Now where did he get the key to open this?"

"He went into the office to get it."

Solicitor Dorsey picked up a picture of the scene where Mary Phagan was found and asked the negro if he recognized the scene. Conley said he didn't remember. "All right," said the solicitor, withdrawing the photograph.

At the instance of Solicitor Dorsey, he pointed out the furnace in the basement.

DIDN'T ATTEMPT BURNING.

"And Frank told you to come back and fire that up, did he?"

"Yes, sir, he told me to come back in forty minutes."

"Do you know whether or not you could have put that body in there?"
"No, sir, didn't try it."

Conley pointed out the office of Frank, the outer office, the safe and the desk and the wardrobe in there, to illustrate incidents of his story.

"Do you know anything about the back door, Jim?"
"Not a thing."

"Do you know what became of the notes that you wrote?"
"No, sir, I don't."

"Do you know what time you left home Saturday morning?"

"Between 7 and half-past."

"Did you notice any clock, or did you learn what time it was, between the time you left home and when you met Frank?"

"Yes, sir, I looked at a clock in a near-beer saloon at Broad and Mtichell [sic] streets. It was 9 minutes after 10 then."

"Who left the factory first after the body was put down in the basement?"

LEFT FACTORY FIRST.

"I went first. I left Frank standing three of four steps from the top of the stairs that lead to the second floor. His head was bent down, like he was looking to see if I was going to leave the factory."

The solicitor picked up the parasol again, and directed Conley to "point out the place where you sat on the box."

Conley designated the corner of the elevator nearest the hold leading into the basement. It was the same spot designated by Mrs. Arthur White when she was on the stand last week.

"Who cleans up there usually?" asked the solicitor.

"Sometimes I did, and sometimes somebody else did. I used to clean up the first floor there about twice a week."

"Do you know Mrs. Arthur White?"
"No, sir."

Solicitor Dorsey told Deputy Sheriff Plennie Minor to bring Mrs. White into court. There was some delay in getting her into the room and the questions continued meanwhile.

KNEW GIRL WAS DEAD.

"How did you find out the girl was dead when you went up to the second floor that day?"

"She was lying flat on her back and she wasn't moving and she wasn't breathing."

"What did Frank ask you about anybody around the factory then?"

"He asked me if I knew the night watchman. I told him that I didn't know him personally."
Mrs. White came into court. She was brought to a position in front of the witness stand.

"Do you know this young lady?" asked the solicitor.

"No, sir, I [n]ever saw her at all."

Solicitor Dorsey asked if he would be allowed to put her on the stand for a minute, with the evident purpose of having her identify Conley as the negro she saw in the hallway. Attorney Arnold and Attorney Rosser objected strenuously.

DORSEY LOSES POINT.

"Oh, I thought you said you'd let me put Dr. Harris and Mrs. White up again," said the solicitor to Mr. Rosser.

"Well, you know I told you privately that I wouldn't let you put her up," said Mr. Rosser.

The solicitor withdrew the request.

"Oh Thanksgiving, Jim, did you see Frank that day?" continued the solicitor.

"Yes, sir, I saw him. He came out of the office and said, ‘That's right! That's right!' And the woman that was with him said, ‘That's the best thing to do.'

"You said something about dozing, Jim. When did you doze, and how long?"

"I don't know how long it was but I think it was just after Miss Monteen Stover come out."

"How many times have you watched for him before?"

"I don't know how many times. I watched for him Thanksgiving and some other times."

Conley continued, and said that on occasions he had let men into the building while he was watching this way, to let them go into the basement.

"What was in the basement?"

"Well, there was some coal and sawdust in there?"
"Wasn't there anything else—a bed or a cot?"

"I never saw them?"

"Now this watch contract, Jim. Explain to the jury about that."

DEFENSE WINS ANOTHER POINT.

Attorney Rosser objected. Solicitor Dorsey addressed the court and said, "I want to show that he can write, and that Frank knew he could write, and that when Conley was arrested and held at the police station and samples of Frank's handwriting and Newt Lee's handwriting had been taken, he never suggested to the police that a copy of Conley's be taken."

Judge Roan, however, sustained the objection.

"Did you refuse to write when you were first told by the police to write?"

"Yes, sir."
"Did you say you couldn't?"

"Yes, sir."
"Did Frank eveer [sic] see you write before?"

"Yes, I signed a contract for a watch in front of Mr. Frank."

There was objection to this question Solicitor Dorsey announced that he was [...]

DEFENSE BEGINS ATTACK ON JIM CONLEY'S STORY

[...] through with his direct examination.

WHERE HE WORKED.

Before the cross-examination could begin, the solicitor asked "How long did you work for the National Pencil company?"

"A little over two years."

"How old are you?"

"Twenty-seven years old."

"Whom did you work for before you worked for Frank?"

"For Mr. Palmer."
"How long did you work for him?"

[Multiple question and answers are illegible]

"Whom did you work for next?"

"W. S. Conies."

"How do you spell his name?"

"I don't know."
"You know how to spell. You read the newspapers, don't you?"
"No, sir."

"Yes, you do, don't you?"

"I made one trial and then quit. I couldn't read ‘em very well."

"You don't get any senses out of them, do you?"

"No, sir."

LESSON IN SPELLING.

Attorney Rosser assured the witness that he saw right then they'd get along pretty well together.

"You can make out some words in the newspaper, can't you?"

"Yes, sir, little words like ‘dis' and ‘dat.'"

"You see them a good deal in the newspapers, don't you?"

"Yes, sir."

"You can spell ‘dis' and ‘dat', can't you?"

"Yes, sir."
"Can you spell ‘coat?'"

"No, sir."
"Can you spell ‘collar?'"

"No, sir."

"Can you spell ‘shirt?'"

"Yes, sir, I can spell shirt."
"Can you spell ‘shoes?'"

"Yes, sir."

Can you spell ‘cat?'"

"Yes, sir."

Well, how do you spell cat, with a "c" or "k?"

[several words illegible] laugh followed when the witness replied unhesitatingly "K."

[Multiple questions and answers illegible]

USUALLY AWAY AT 11.

Attorney Rosser questioned him again where he had worked, about his past life, etc. The negro answered promptly each time, but his answers were not always definite.

"Who employed you at the pencil factory?" asked Mr. Rosser.

"Mr. Herbert Schiff."
"Who paid you off there?"

"Mr. Schiff, sometimes, Mr. Gantt sometimes, Mr. Frank sometimes."
"You say Frank paid you off?"
"Yes, sir."
"How many times?"

"I don't know, sir. Two or three times."

"How long since Frank paid you off?"
"Two or three months."
"Well, which was it? What date?"

"I don't remember."
Conley said that he seldom drew his [1 word illegible] himself; that usually he got one of the other negro boys around the factory to draw it for him. Usually he got away from the factory about 11 o'clock on Saturdays.

"[words illegible] your custom to have somebody else draw your money?"

"Yes, sir."

"You were always in debt, weren't you, Jim, and you didn't want the other boys to see you get your money [words illegible] leave to pay them what you owed them?"

OWED OTHERS.

"Sometimes I owed some of the other boys and sometimes they owed me."

"Sometimes you went out by the door, didn't you, Jim, on Saturdays?"

"The reason you didn't collect your money was because you owed the boys and you couldn't spare it?"

"Sometimes I owed them and sometimes they owed me. I wanted to collect what was owing to me before I paid what I owed."

"That was your reason for not drawing your money?"

"I didn't want the boys to see what I got."

"Why?"

"Because I got so little."
"Well, what did you get?"

"Six dollars and 75 cents a week."

"Well, what did Snowball get?"

"He got $6.75."

"Well, who got more than you did?"
"Walter Pride got $12 a week, and Joe Pride, his brother, got $12.40."

"How do you know?"
"They told me so. We had some arguments about what we got, and they told me so."

"Well, did you tell them what you got?"

"No, sir. It wasn't none of their business."
Attorney Rosser questioned the negro about the wages of other

negroes, but Conley stated that he did not know what pay they received.

"Well, you were trying to hide from Walter Pride what you got?"

"Not specially."
"Walter waited around for you, didn't he?"

"Yes, sir."

"And that's the reason you wouldn't stay for your pay?"

"Yes, sir."

"Did Joe Pride ever have anything to do with you?"
"Yes, sir."
"You got your pay in sealed envelopes, didn't you?"

"Yes, sir."

"Well, how would they know what you got?"
"If I opened the envelopes to pay them, they could see."
"Then it was because you were ashamed. You didn't want anybody to know what you got?"

"No, sir, I wanted them to pay me, and then I'd pay them. When I owed any of the boys, I usually took them to a beer saloon and spent twice as much on them as I owed them."

DRANK UP DEBTS.

"Uh-huh. Then it was your custom to pay what you owed, and then spend twice as much on the man as you owed him?"

"No, sir, I'd just agree with them to take out that way. I'd rather do that way. We'd find out what we owed each other and I'd say let's drink it up."

"Then you'd take ‘em to the beer saloon and settle your debts that way?"

"No, sir, if I happened to meet ‘em there or they came in while I was there, I'd buy the beer."

"Then you'd try to get out before they saw you?"

"Yes, sir, if I could."
"Did you ever owe Joe Pride anything?"

"No, sir."
"Did Walter Pride ever drink with you?"
"Yes, sir."

"That's the way you paid him what you owed him?"

"Yes, sir."

"How many times did you pay him that way?"
"I don't know, sir."
"Can you remember the days?"
"No, sir."
"Then the reason you didn't collect your wages was because you didn't want to pay these men you owed or wanted to get a chance to settle on a drinking basis?"

"No, sir, if I met them there or they came in, why we'd drink some beer."

"What time does the night watchman come to the factory on Saturdays?"
"I never saw him come or go on Saturdays."

"Did he punch any clock?"
"I don't know, sir."

"You say you saw the colored night watchman, Newt Lee?"

"No, sir, I never saw him."

"Well, which night watchman was it you saw?"

"Mr. Kendricks and his father, who was the night watchman before Newt Lee."

"How many times did you see young Kendricks come and get his money on Saturdays?"
"Lots of times."

"What time did he get his money?"

"I don't know just when he got his money, but I saw him leaving when I'd come back to work about 2 o'clock."

"Then that was his habit, to come and get his money about 2 o'clock?"

"I don't know."
"Well, give us the dates when you saw him at the factory about 2 o'clock."

"I don't remember them."

"Whom did he get money from?"

"From Mr. Frank."

"Did you ever see the elder Kendricks there on Saturday to get his money?"

"No, sir."

"But you saw young Kendricks?"
"Yes sir, often."

"Can you spell ‘quite often'?"

"No, sir."

"Do you know Newt Lee, the negro nightwatchman?"

"No, sir."

ANOTHER WATCHMAN.

"Well, who was the night watchman before Newt Lee?"

"Young Mr. Kendricks."
"Well, did you ever know any other night watchman there besides the Kendricks man and Newt Lee?"

"Yes, sir, there was another man watched about two months after I came there. He was a white man."

"What was his name?"

"I don't know, sir."

"What time did you say they paid off on Saturdays?"

"Sometimes 12, sometimes 12:15, sometimes 12:30."
"How long did old man Holloway stay there?"

"He stayle [sic] till about 2:30."

"You don't know when the night watchman came on?"

"No, sir."
"You said something about watching for Frank. When was the first time you watched for him?"

"Alone?"
"Alon[e] or with anybody else."
"Some time last summer."

"Well, what time last summer?"

"About July."
"Was he alone or was somebody with him?"

"Someone was with him."
"You say Frank sometimes called you to the office?"
"Yes, sir, I'd be out sweeping, and Mr. Frank would come out and call me into the office."
"Well, when was that—on Saturdays?"

"Yes, sir."
"Well, what did Frank want with you?"

"Sometimes he'd call me in to talk abut work."
"Well, when was the first time he called you in to talk about work?"
"Shortly after I went to work at the factory."

"Was this on Saturday?"

"Yes, sir."
"What time was it?"

"About 3 o'clock."
"Well, what time did you get back to the factory on Saturdays from lunch?"

"About 1:30 or 2 o'clock and I stayed till about 4."
"Well, you always punched the clock?"

"No, sir, I never rang the clock much. They always had to get after me about that."

ABOUT HIS PAY.

"Well, how would they know what to pay you, when you didn't punch the clock? How would they know when you worked?"

"They'd see me there and they'd ask me."

"How much did you get a day?"

"A dollar and 10 cents."

"You were paid by the hour, weren't you?"

"Yes, sir."

"How much did you get an hour?"

"Eleven cents."
"Well, how would they know how many hours you worked if you didn't punch the clock? How could they tell what to pay you?"

"I punched sometimes, but I didn't always punch."
"It was the rule to punch the clock, wasn't it?"
"Yes, sir."
"If you didn't work, you weren't paid, were you?"

"Yes, sir, sometimes Mr. Frank would come out and say to that he didn't take it out of my pay."

"Who heard Mr. Frank tell you this?"

"I don't know, sir, if anybody did."
"You punched the clock when you came to work in the morning?"
"Yes, sir."
"And it was your duty to punch it when you went out?"
"Yes, sir, but I didn't always do it."

"Who got after you about not punching the clock?"

"Mr. Frank and Mr. Schiff got after me about it."

"How did they know you didn't punch?"
"They could tell by the slips."
"What did you say when they got after you?"

"I told ‘em I tried to punch."
"Then you tried to fool them?"
"No, sir, sometimes I tried to punch, sometimes I didn't."
"If you are paid by time, how did they know how much to pay you?"

"I don't know, sir. They saw me there and they'd ask me about it."
"Was everybody in the factory paid according to the punches?"

"I don't know."
"Well, how would they know what to pay you, Jim, if you didn't punch the clock?"

"They'd see me around there and if they didn't they'd ask me if I was there."

"Yes, sir, they would pay me in full if I punched at 7 o'clock in the morning," the negro replied to a question.

"Some times they would ask me if I had been there all day."

"Well, Jim," said Mr. Rosser, "suppose you now tell about that first time in July. Who was that man?"

"It was a Mr. Dalton."

Mr. Rosser did not catch the name, and shouted Dawson, and the negro replied, almost in a shout, "No, Dalton."

"Well, who was that other young lady?"

"If she is here and will stand up I will show her to you, but I don't know her name. The detectives, though, they know her name."

"Well, don't you even know where she lives?"

"Yes, sir, she lives on West Hunter street, near Haynes street."

"What about this other girl?"

"Miss Daisy Hopkins—she worked on the fourth floor."

"What time was it they came that first time?"

"About 3 or 3:30 in the afternoon."

"What were you doing?" asked the attorney.

"I was sweeping when they came in, but Mr. Frank called me to his office, and asked if I wanted to make a piece of money and then he told me to watch the door for him."

"I went down and watched, and pretty soon that young lady went out and she came back with a man, Mr. Dalton.

HE OPENED TRAP DOOR.

"Then they went upstairs and I heard them walk into Mr. Frank's office. They stayed about ten or fifteen minutes and then the young lady and Mr. Dalton came out, and the young lady says, ‘All right, James,' and then I took them back and opened the trap door and they went down the ladder to the basement."

"Who told you to open that door, Jim? Did she tell you?"

"No, sir, Mr. Frank had told me when he was talking with me."

The witness declared that he had no idea of the length of time the couple stayed in the basement, but said that he waited near the trap door and opened it for them to come up.

In answer to questions he then declared that Dalton went on out and the girl went upstairs, and after waiting at the head of the stairs for several minutes, went into the office. A little later she and Miss Hopkins came down, and it was considerably later that Frank left the office, he said.

Mr. Dalton, he said, gave him a quarter, and Mr. Frank gave him another as he was leaving. The witness said that the girls left about 4:30 o'clock.

The witness was told by the cross-examiner to narrate the events of the next visit of women to the factory, which Conley said was on a Saturday about 2 weeks late. At that time Conley declared that Frank came up to him early in the morning and told him that he "Wanted to put him wise" for the afternoon.

Frank returned to the office about 21:5 that afternoon, he said, and shortly after he went into the office Mr. Holloway left.

Some time later, the negro declared, Miss Daisy Hopkins came in, and he followed her up the steps and saw her go into the office.

NOT SURE OF TIME.

Frank snappepd [sic] his fingers at him, he declares, and bowed his head. Then he went down and watched at the front door and Frank gave him 50 cents after the girl had left.

"Now, tell about the next time—Thanksgiving," Mr. Rosser said to the negro.

"No, sir, it was not Thanksgiving," said the negro. It was before Thanksgiving, early in the winter."

"When was it?"

"About the middle of August."

"Oh, yes," said Mr. Rosser, "it was pretty cold that day, wasn't it?"

The negro saw the trap and neatly dodged it.

"No, sir, it was not cold."
"Well, it was winter—it was sorter cold?"

"No, I can't say it was cold," Conley answered.

"Well, that morning," he continued, "Mr. Frank told me he wanted to put me wise again for that afternoon."

"Oh, yes," interrupted Rosser, "he used that same word every time, didn't he?"

The negro said that he did that time and the other time, but was not sure he used it after every time he spoke of the matter.

DESCRIBES HER HAIR.

"What was this woman's hair like?" asked Attorney Rosser.

After looking around the court room the negro replied: "It was like Mr. Hooper's."

"You seem to know Hooper well. How is that?"

"Well, he talked to me once or twice."

"It is gray like Hooper's?"

"If that is gray, it was."

"What sort of clothes did she wear?"

"She had on a green suit."

"Now, let's take Daisy Hopkins," said Attorney Rosser. "What did she wear?"

"The first time she came she wore a black skirt and a white shirt waist."

"What did she wear the second time?"

"The same thing."

"Did you ever speak to her around the factory?"

"No, sir, she didn't know me."
"You've been there two years. And do you mean to tell me that everybody around there don't know Jim Conley?"

"Lots of them don't know me."
"Who are some of them?"

"I don't know, but there's lots of them."
Attorney Rosser then questioned Conley about last Thanksgiving day, when he said he again acted as look-out for Frank. Conley said that he had waited near the door until the woman came. He said he got to the factory about 8 or 8:30 o'clock and that she entered about half an hour later."

"Did you know her?"

"No, sir, I never saw her since. I saw her in Mr. Frank's office about three days before that."

"Was it the same week?"

"I don't know. It was some time near Thanksgiving though."

"What time was that?"

"About 8 o'clock in the evening."

"What were you doing there so late?"

"I was stacking some boxes upstairs."

"How was she dressed?"

"I think she had on black clothes. I don't remember exactly."

"How was her face?"
"O, she was good looking."
"Now, on this Thanksgiving morning, you closed the door after her?"

"Yes, sir."

TWO STAMPS THE SIGNAL.

"And you say when Mr. Frank stamped his foot you locked the door after her?"

"Yes, sir. When Mr. Frank stamped I closed the door."

"Was there any signal? How many times was he to stamp?"

"Twice."

"It wasn't three, was it?"

"No, sir. It was twice. And then I was to kick the door of the elevator twice."

"What did you do after that?"

"I sat on the box."

"How long?"

"About an hour and a half it seemed to me."

"And then she came down?"
"No, Mr. Frank came down. He said ‘is everything all right?' and then he opened the door and looked up and down the street and then called to her, ‘All right.' And she came down and they walked to the door and as they passed me the woman looked at me and said, ‘Is that the nigger?' and Mr. Frank said, ‘Yes, that is the best nigger I ever saw.'"

"Did she say that to you?" queried Attorney Rosser.

"No," replied the black, "she was talking to Mr. Frank."

WENT TO BEER SALOON.

In answer to other questions by Attorney Rosser he said that Frank had called him up to his office and gave him $1.25.

"Where did you go when you left there?" asked the defense's lawyer.

"Well, I went to the near-beer saloon."

Conley, then, in detail, described the dress worn by the woman, repeating almost exactly his former description.

"Now, when was the next time you watched?" asked Attorney Rosser.

"O, that was long after Thanksgiving. It was after Christmas. It was about the middle of January."
"How do you know?"

"Well, it was sometime after the first of the year."

"When did you first talk about that with Mr. Frank?"

"I don't remember, but Mr. Frank told me that there would be a young man and two ladies there and to let them in. That morning after I had waited awhile a man and two ladies came to the door.

"What time did they come?"
"About half past two or three."

"And they came in?"

"No, sir. The young man came in but the young ladies stayed out there."

"Did you know the man?"

"No, sir."

"Well, describe the young ladies."

"I don't remember what they wore."

"How did the man look?"

"Well, he was tall."

"Had you ever seen him before?"

"I saw him talking to Mr. Holloway one day by the elevator."

Court adjourned at 12:35 with Conley still on the stand. He was still calm and composed as he walked out of the court room between Chi[e]f of Police Beavers and Chief of Detectives Lanford. He was taken across the street to Solicitor Dorsey's office.

WOMEN EXCLUDED.

Just before court convened, Judge L. S. Roan ordered the court bailiffs to exclude all women from the court room. About 175 were put out.

"I am doing this," said the judge, "on account of the character of the evidence that will be brought out this afternoon."

Numbers of men had not been able to find room in the court on account of the women being given first preference in the admission arrangements. The eviction of the women, whose interest in the trial has been intent notwithstanding its revolting details in some particulars, left room for men who were there waiting in line to take their places.

Within two minutes after the women had been excluded from the court, the seats were filled entirely again, men replacing them.

The only women remaining in the court were Mrs. Rae Frank, mother of the accused, and Mrs. Leo M. Frank, his wife.

James Conley was put back on the stand.

Attorney Rosser asked the negro what he had done during the noon hour.

"Did anybody see you at headquarters besides Chief Beavers?"

"Yes, Mr. Starnes and Mr. Campbell and my lawyer and the turnkey."

"Did the turnkey hear what your lawyer said to you?"

"Yes, sir."

RESUMES EXAMINATION.

"Did anybody besides Chief Beavers come back to your cell during the noon rest?"

"Chief Beavers didn't come back," replied the negro.

Attorney Rosser resumed his cross examination.

"We were talking about that day in January that you say you watched for Frank. Now was there any other time that you say you watched for him in January?"

"No, sir."

"What was the date in January that you watched for him?"

"I don't remember the date."
"Now, Jim, about that time in the middle of July, when you said you watched for him, what did you do the Saturday before that?"

"I don't recollect."

WHEN HE WAS "LOOK-OUT."

"What did you do the Saturday afterwards?"

"I don't recollect."

"Anything happen the Saturday after that?"

"I watched for him again on the second Saturday."

"Well, what did you do the Saturday after that?"

"I don't remember."

"Well, the Saturday after that?"

"I don't know."

"Along about the first of August I did some watching for him."

"Well, Jim, you say you watched for him about the first of July, about the middle of July, and about the first of August?"

"Yes, sir."

"When was the next time you watched for him?"

"Thanksgiving day."

"Now, what did you do the Saturday before Thanksgiving?"

"I don't know."

"What did you do the Saturday after Thanksgiving?"

"I don't know."

"Well, what did you do the next Saturday?"

"I did some more watching. I think that was when it was. It was about the last of September?"

"Yes, sir."

SEPTEMBER AFTER THANKSGIVING.

"September, after Thanksgiving?"

"Yes, sir."

"You don't remember any of these dates, Jim?"

"No, sir."

"How much money did you get the first Saturday you watched for him, Jim?"

"I don't remember."

"Did you draw it yourself?"

"I don't remember."

"What time did you come to the factory that Saturday morning?"

"I don't know what time it was."

"What time did you go home?"

"I don't know."

SPECTATORS "LINE UP."

Applicants for places as spectators at the Frank trial Monday morning were made to "line up," single file, like ticket purchasers at a world's series baseball game. The line started at the court hours door, beginning with a man who had been there since 6:30

o'clock, and turned the corner into Hunter street and stretched far back along that block toward the state capitol.

There were 250 seats available for the public in the court room.

One might suppose that the applicants would have "numbered off," and that all beyond the 250 mark could have gone away discouraged to their day's business.

But not so. There is no such word as "nothing doing" in the bright lexicon of the Frank trial spectator. Nobody counted, and all stayed.

MANY WOMEN.

Even while the line was forming, about 100 of the seats were appropriated at once by members of the gentler sex. The deputies, instructed to that effect, opened the doors to the waiting women, well realizing that no official yet ever has succeeded in making any women stand in line anywhere—from stamp window to ticket window. It's against the nature of the sex. So the women were admitted, while the line of men grew longer and longer; and the women sat themselves comfortably down in about 100 of the choice seats in the court room.

That left 150 seats for the several hundreds standing outside.

L. O. Grice, a stenographer for W. H. Smith, auditor of the Atlanta and West Point railway, was the first witness. He lives at 270 Houston street.

"Did you visit the National Pencil factory Sunday morning, April 27?" asked Solicitor Dorsey.

"Yes, I had just read an extra and I walked by there and saw a lot of people. I entered and went upstairs. There were about eight men up there."

"Did any of them attract your attention?"

"Yes. Three of them. I knew Officers Black and Lanford by sight."

"And who else attracted your attention?"
"There was a small man who attracted my attention by his

nervousness—not when we were upstairs but when we were at the back door. I did not know him then."

"Was it this defendant—there?" asked the solicitor, pointing to Leo M. Frank.

"Yes."

"Describe what he did and what he said."

"He was looking for a pin."

The witness got up and moved about, looking from place to place and shaking his hands, giving a good imitation of a very nervous man.

The solicitor announced that he was through with the witness.

NEW WITNESS IN CASE.

Attorney Rosser cross examined the witness.

The attorney strove to gain the admission from Grice that others were nervous.

"Detective Black saw what you saw, didn't he?"

"I don't know."

"Well, he had an opportunity to see what you saw, didn't he?"

"Yes, I suppose so."

"How many other men were out in front?"

"I don't know. I don't remember any others."

"When were you called as a witness in this case?"

"Saturday."

"After the jury had been empanneled the trial was in progress a week?"

"Yes."

"How did you come to testify?"

"Well, my friends advised me to tell what I knew. I didn't consider it of importance until last Friday."

"And you went to Solicitor Dorsey's office uninvited and of your own accord?"

"Yes, sir, last Saturday."

"What did you say Frank was looking for?"

"A p-i-n or p-e-n. I don't know which."

"You didn't know Frank before that morning, did you? You'd never seen him?"

"No, sir."

"You didn't know anything about his habits, then, did you?"

"No, sir."

"You knew that Frank had just learned that a little girl had been murdered in his factory, didn't you?"
"No, sir."

"Didn't the detectives point out the places where the girl was murdered, to him and to others there?"

"Yes, sir."

HAD READ THE PAPERS.

"Wasn't there blood on the sawdust under the place where the body was found?"

"No, sir. I didn't see any blood."

"And you saw Frank walk out there and tremble, and didn't consider it important then?"

"Yes. I'm not trained in such matters. I didn't know my testimony was important until I got to reading the newspapers this week."

Solicitor Dorsey took the witness again and asked one question.

"Did you tremble as much as Frank or less?"

"I don't remember that I trembled any."

Police Sergeant L. S. Dobbs was recalled to the stand.

NEW EVIDENCE.

Replying to questions from Solicitor Dorsey, the witness stated that he had found a bloody handkerchief in the basement about 40 feet from the body toward the rear, near a sawdust pile, on Sunday morning after the murder. Witness testified a bloody handkerchief handed to him by the solicitor as the one he had found. It is a small linen handkerchief and is bloody around two edges of it as if it might have been folded when the blood got on it.

Attorney Rosser cross examined the witness.

"When did you find this handkerchief?"

"About 10 or 15 minutes after I saw the body?"

"Where was it?"
"It was on the left hand side, back toward the rear, and about 10 feet from the body."

"The sawdust is in a bin, is it not?"

"I didn't notice."

"It breaks over and scatters around the basement, doesn't it?"

"I never noticed."

"Well, you saw some sawdust by the body?"

"Yes."

"How far away from the body did you find that handkerchief?"

"About ten feet beyond her feet."

"Toward the rear."

"Yes."

FLASHLIGHT PHOTO.

At this point Solicitor Dorsey submitted a flashlight picturing the southwestern end of the basement, showing the whole scene where the body was found, the sawdust bin, etc.

Mr. Rosser took the picture from the witness' hand and after glancing at it smiled broadly and asked, "You recognize the

handsome countenance of my friend Black in this picture, do you not?"
"Yes, I recognize him."

Attorney Rosser and the witness examined the photograph together for a moment.

Solicitor Dorsey at this point rendered the bloody handkerchief as evidence. Mr. Rosser inquired of the witness if this handkerchief "when you found it was bloody just as you see it here."

"It was," answered the witness.

"Was it crushed up or spread out?"
"I don't remember."

"Was it soiled like it is now?"

"Yes, sir."

The handkerchief went in evidence.

Sergeant Dobbs was excused, and Solicitor Dorsey recalled Mell Stanford, an employe of the pencil factory.

MYSTERIOUS DOOR.

Solicitor Dorsey pointed on the diagram of the factory to the door leading from the third floor to the second floor in rear, and asked,

"Was or was it not that door closed on Friday when you left there?"

"There was a bar across it. I put it there."

"Was there any other way to get from the third floor to the second floor except by that door and the other stairs by the office?"

"Only by the fire escape."

The solicitor pointed to the area on the diagram where the bloody stick is supposed to have been found and where Jim Conley is supposed to have been sitting.

"Was that the area cleaned up after the tragedy and prior to May 12?"

"It was cleaned up during the week after the killing."

Attorney Rosser cross-examined the witness.

"What sore of a bar was there?"

"A wood bar."

"Did you do the cleaning on the first floor?"

"No, but I saw it done."

"Did you stay there all the time?"

"No, just a part of the time."

"Who did the work?"

"Some negroes. I don't know who they are."

Witness was excused, and W. H. Gheesling was recalled. He is an undertaker connected with the P. J. Bloomfield company.

"I want to ask you about curtains hanging across the doorway of the room where the body was. Were there any?"

"There were a raincoat and a bath robe and another small coat hanging there on the side of the door."

"What appearance did that give?"

"The appearance of a curtain."

"You didn't want to give your ingredients in your embalming fluid the other day. Will you tell me if formaldehyde is an ingredient?"

"Yes, sir. I'll state that it is about 8 per cent formaldehyde."

REMOVED CONGESTION.

The solicitor surrendered the witness for cross-examination. Attorney Rosser said, "There, now. I didn't want to go into that at all. I thought we'd settled that matter. I don't think you've got a right to go into one ingredient and not the rest of them."

Judge Roan asked the solicitor as to the relevancy of the point.

"It is made exceedingly important by the questioning of the defense. They have made it relevant. I want to show that the

formaldehyde removed a congestion of the lungs so that there was no trace of the actual cause of her death."

"It's unfair," declared Mr. Rosser. "I'm willing to go into all the ingredients of this fluid, or none of them."

"Mr. Gheesling, is there any embalming fluid that you ever heard of that hasn't formaldehyde in it?" asked the solicitor.

"That's about right. It's there in 90 per cent of them anyhow."

The solicitor explained to the court, "He didn't want to publish it. He might give this prescription to Mr. Rosser and Mr. Arnold secretly and then it wouldn't get in the papers and be scattered broadcast."

"Yes, sir, and I want it right now," spoke up Mr. Rosser.

Gheesling said, "I'll consent to that."

GIVES RESCRIPTION [sic].

At the whispered dictation of Cheesling, the witness put it into the court records, with Solicitor Dorsey and Attorneys Arnold and Rosser bending over him.

Attorney Rosser took up his cross examination.

"When Mr. Black and Mr. Frank and Mr. Boots Rogers were in the room where the body was that morning, didn't you point out the scar on the girl's head, and didn't you show a place where her clothes were torn?"

"I don't remember doing that. I don't remember showing anybody anything about the body until 9 o'clock that morning."

Attorney Rosser asked a number of questions rapidly about the coats being in the doorway, etc., apparently in an effort to make the witness admit that Frank did not see the body of the murdered girl.

The witness was excused then.

Solicitor Dorsey re-called Mrs. J. Arthur White, but Mrs. White did not answer. The solicitor explained that she had been notified

early Monday morning but primarily had been delayed for a good reason, and that she would be put on the stand later.

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